

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SECURITY USA SERVICES, LLC,

Plaintiff,

v.

No. 1:20-cv-01100-KWR-KRS

INVARIANT CORP., and
HYPERION TECHNOLOGY GROUP, INC.,

Defendants.

ORDER OF CONTEMPT

THIS MATTER came before the Court on Defendants' Motion to Enforce Order and for Contempt, **Doc. 109**, and on Judge Sweazea's Order Certifying Facts Pursuant to 28 U.S.C. §636(e)(6)(B). **Doc. 127**. Having considered the submissions of the parties, the certification of facts by Magistrate Judge Sweazea, **Doc. 127**, having heard the arguments of counsel and given Plaintiff the opportunity to present evidence at a January 24, 2023, hearing, and being otherwise fully advised,

THE COURT FINDS that Judge Sweazea's certified facts are undisputed, that Plaintiff has failed to show cause for why it should not be held in contempt for disobeying multiple orders of the Court, and that Plaintiff's failure has prejudiced Defendants.

IT IS THEREFORE ORDERED that Plaintiff is **HELD IN CONTEMPT** of this Court and shall pay a fine of \$10,000, shall comply with the Court's orders by paying the ordered attorneys' fees, and shall file notice of such compliance with the Court. If Plaintiff pays the required attorneys' fees within thirty days of January 24, 2023, the Court will waive the \$10,000 fine.

IT IS SO ORDERED.


KEA W. RIGGS
UNITED STATES DISTRICT JUDGE

RESPECTFULLY SUBMITTED,

By: /s/ Billy Trabaudo

Benjamin Allison

Billy Trabaudo

BARDACKE ALLISON LLP

P.O. Box 1808

141 E. Palace Avenue

Santa Fe, NM 87504-1808

505-995-8000

ben@bardackeallison.com

billy@bardackeallison.com

*Counsel for Defendants Invariant Corp. and
Hyperion Technology Group, Inc.*

APPROVED AS TO FORM:

By: /s/ Augustine M. Rodriguez

Augustine M. Rodriguez

LAW OFFICE OF AUGUSTINE M. RODRIGUEZ, L.L.C.

P.O. Box 27178

Albuquerque, NM 87125

505-332-3173

rodriguezlaw@yahoo.com

Counsel for Plaintiff Security USA Services, LLC